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9	BEFORE THE BOARD OF REGISTERED NURSING	
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
11	In the Matter of the Accusation Against:	G N 2010 55
12	RUTH ANN CLARK	Case No. 2010-55
13	AKA RUTH ANNE LEMEN 626 Carillo Circle	
14	Oceanside, CA 92057	ACCUSATION
15	Registered Nurse License No. 231395	
16	Respondent.	
17		
18	Complainant alleges:	
19	PARTIES	
20	1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her	
21	official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department	
22	of Consumer Affairs.	
23	2. On or about February 28, 1973, the Board of Registered Nursing issued Registered	
24	Nurse License Number 231395 to Ruth Ann Clark aka Ruth Anne Lemen (Respondent). The	
25	Registered Nurse License was in full force and effect at all times relevant to the charges brought	
26	herein and will expire on September 30, 2010, unless renewed.	
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JURISDICTION

- This Accusation is brought before the Board of Registered Nursing (Board), 3. Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.
- Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- Section 2764 of the Code provides, in pertinent part, that the expiration of a license 5. shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

STATUTORY PROVISION

6. Section 820 of the Code provides:

Whenever it appears that any person holding a license, certificate or permit under this division or under any initiative act referred to in this division may be unable to practice his or her profession safely because the licentiate's ability to practice is impaired due to mental illness, or physical illness affecting competency, the licensing agency may order the licentiate to be examined by one or more physicians and surgeons or psychologists designated by the agency. The report of the examiners shall be made available to the licentiate and may be received as direct evidence in proceedings conducted pursuant to 822.

7. Section 821 of the Code provides:

The licentiate's failure to comply with an order issued under Section 820 shall constitute grounds for the suspension or revocation of the licentiate's certificate or license.

CAUSE FOR DISCIPLINE

(Failure to Comply with Psychological Examination Order)

- Respondent is subject to disciplinary action under Code section 821 for failure to 8. timely comply with the Board's order for psychological examination. The circumstances are as follows.
- On or about August 20, 2009, the Board issued an Order Compelling Psychological 9. Examination pursuant to Code section 820. The Order required Respondent to submit to a mental

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